Press, Fair Trial in Clash

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Supreme Court Justice Lewis F. Powell Jr. said yesterday "a fundamental confrontation between the competing values of free press and fair trial" exists in the handling of rape-murder charges against two New Orleans defendants.

Powell, on July 24, stayed an order by criminal trial Judge Oliver P. Schulingkamp which would have curbed press coverage of the case against Stephen Berry and Timothy Rudolph. The order would have remained in effect until the end of the fourth trial, since each of the defendants is being tried separately for murder and rape.

Powell's stay is effective until an appeal by two New Orleans newspapers clears the Supreme Court.

In an opinion released yesterday explaining his action, Powell spoke disapprovingly of early press coverage of the case but said Schulingkamp has various means, including the contempt power, to bring about a fair trial.